

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
MONDAY, JULY 29, 1996  
AT 2:00 P.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 2:12 p.m.  
The meeting was adjourned by Deputy Mayor Stallings at 4:20 p.m.  
into Closed Session on Tuesday, July 30, 1996, at 9:30 a.m. in  
the twelfth floor conference room to discuss existing litigation  
matters.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present
- Clerk-Fishkin (mp)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Fishkin called the roll:

- (M) Mayor Golding-present

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- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-not present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Assistant City Clerk Fishkin.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Vargas.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Comments by Don Stillwell regarding crimes by people in  
higher office and regarding CLINTON - THE FINAL CHAPTER.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A025-050.)

ITEM-PC-2:

Comments by Dr. Art Salzberg on the Homeless Republican  
Delegates.

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FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A051-075.)

ITEM-PC-3: REFERRED TO CITY MANAGER

Comments by Michael Lee Smith on life-threatening situations affecting his family.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A076-110.)

ITEM-PC-4:

Comments by Sky on government out of balance.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A113-143.)

ITEM-PC-5:

Comments by Forrest Curo on need for safe place for homeless to sleep.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A144-165.)

ITEM-PC-6:

Comments by James Lambert commending work of several members of the San Diego Police Department and of Deputy City Attorney Mary Nuesca.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A167-187.)

ITEM-PC-7:

Comments by Clifford Jones on outlawing distribution of  
harmful material to minors.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A191-215.)

COUNCIL COMMENT:

ITEM-CC-1:

Council Member Kehoe thanked everyone who helped out on Saturday and Sunday in Balboa Park on the 22nd Lesbian and Gay Pride parade. She also thanked the Police Department and Special Events for all their assistance. She also mentioned that the Disabilities and Independence Day event in Balboa Park this past weekend was a huge success.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A217-225.)

ITEM-CC-2:

Council Member Stevens asked the City Manager to abate the weed and hazardous brush in Council District 4. He asked City Manager to use community-based Organizations such as Triple Crown, Urban Corp, and American Corp to abate properties of brush and weeds. He also asked the City to remove dry grass in roadsides and setbacks and to provide him with a weekly progress report on this project. Mayor Golding also asked to be provided with a progress report.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A227-258.)

ITEM-CC-3:

Deputy Mayor Stallings announced that the Women's Volley Ball Team trains here in San Diego and is on the road to medal and wished them luck on their quest for the gold.

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Mayor Golding commended Gail Devers, a San Diego resident, on her victory in Atlanta, and announced that a reception is being planned honoring San Diego's athletes who competed in the Olympics in Atlanta.

FILE LOCATION: MINUTES

COUNCIL ACTION: Tape Location: A262-270.)

ITEM-CC-4:

Council Member McCarty announced that District 33 Little League Big League All Stars are two games away from winning the championship in baseball. She wished them luck to go on to the western regional championship.

FILE LOCATION: MINUTES

COUNCIL ACTION: Tape Location: A273-292.)

ITEM-CC-5:

Council Member Vargas and Mayor Golding acknowledged and welcomed a political delegation from Japan visiting in San Diego.

FILE LOCATION: MINUTES

COUNCIL ACTION: Tape Location: A294-316.)

ITEM-30: APPROVED MINUTES

Approval of Council Minutes for the Meetings of:

6/24/96

6/25/96

7/1/96

7/2/96

FILE LOCATION: MINUTES

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COUNCIL ACTION: (Tape location: A318-321.)

MOTION BY STALLINGS TO APPROVE THE MINUTES. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-50:

SUBJECT: Regulatory Relief Ordinance - Coastal Development  
Permit Exemptions (Categorical Exclusion).

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was re-introduced on 7/9/96. (Council voted 9-0):

(O-96-120 Rev.1, Corr.Copy)      ADOPTED AS ORDINANCE O-18322  
(08/28/96)      (New Series)

Amending Chapter VI, Article 2, Division 1; Chapter X, Article 1, Division 4; and Chapter X, Article 5, Division 2, of the San Diego Municipal Code by amending Sections 62.0106, 101.0407, 101.0462 and 105.0204, relating to Coastal Development Permit Exemptions; this ordinance supersedes Ordinance O-18169 adopted on March 20, 1995, Ordinance O-18156 adopted on January 31, 1995 and Ordinance O-18056 adopted on April 11, 1994.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A322-483.)

CONSENT MOTION BY STALLINGS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-51:

SUBJECT: Carmel Valley Planned District Regulations.

(Carmel Valley Community Area. District-1.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on  
7/16/96.

(Council voted 8-0. District 7 not present):

(O-96-164) ADOPTED AS ORDINANCE O-18323 (New Series)

Amending Chapter X, Article 3, Division 6, of the San  
Diego Municipal Code, by amending Section 103.0602,  
relating to the Carmel Valley Planned District  
Regulations, Area of Applicability.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A322-483.)

CONSENT MOTION BY STALLINGS TO DISPENSE WITH THE READING AND  
ADOPT THE ORDINANCE. Second by Warden. Passed by the  
following vote: Mathis-yea, Wear-yea, Kehoe-yea,  
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,  
Vargas-yea, Mayor Golding-yea.

\* ITEM-52:

SUBJECT: 30-Year Lease Agreement with San Diego Space and  
Science Foundation.

(Balboa Park Community Area. District-3.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on  
7/15/96.

(Council voted 9-0):

(O-96-174 Cor. Copy) ADOPTED AS ORDINANCE O-18324 (New  
Series)

Authorizing the City Manager to execute a 30-year lease

agreement with San Diego Space and Science Foundation,  
for development, operation, and maintenance of a space  
theater and related uses in Balboa Park;

Declaring that regardless of a later effective date of  
this ordinance, the payment required under Section 3.2  
of the new lease agreement shall be applicable to the  
Fiscal Year 1997 payment due August 1, 1996;

Stating for the record that the City of San Diego as  
Lead Agency has reviewed and considered the final  
environmental document.

NOTE: 6 votes required pursuant to Section 99 of the  
City Charter. This ordinance was noticed in the Daily  
Transcript on 7/3/96.

FILE LOCATION: LEAS - San Diego Space and Science  
Foundation LEASFY97-1

COUNCIL ACTION: (Tape location: A322-483.)

CONSENT MOTION BY STALLINGS TO DISPENSE WITH THE READING AND  
ADOPT THE ORDINANCE. Second by Warden. Passed by the  
following vote: Mathis-yea, Wear-yea, Kehoe-yea,  
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,  
Vargas-yea, Mayor Golding-yea.

ITEM-53:

SUBJECT: Authorizing the Sale of Surplus Motive Equipment to the  
City of Tijuana.

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-96-172) INTRODUCED, TO BE ADOPTED SEPTEMBER 3, 1996

Introduction of an Ordinance authorizing the sale of  
surplus motive equipment to the City of Tijuana for the  
total price of \$601,200;

Directing the City Auditor and Comptroller to deposit



the monies received to the using division's equipment replacement fund/sub-fund.

CITY MANAGER SUPPORTING INFORMATION:

The Transportation Department's Equipment Division usually disposes of surplus equipment by auction, pursuant to Section 35 of the City Charter.

The Charter also allows for the City Council to authorize the disposal of surplus equipment directly to another agency. Prior to the auction of May 30, 1996, the City of Tijuana inspected the available surplus equipment and identified desired equipment. The Transportation Department's Equipment Division staff determined fair market value by researching amounts received in previous auctions for similar equipment and checking with the auctioneers for their opinions on value. The requested price for each of the 55 desired pieces of equipment was accepted by the City of Tijuana, which then made a formal offer to purchase the equipment at a total cost of \$601,200. The equipment includes a variety of types, including pickups, dump trucks, trash packers, and tractors.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: C341-374.)

MOTION BY STEVENS TO INTRODUCE THE ORDINANCE WITH THE PROVISIO THAT THE EQUIPMENT BE MAINTAINED AT THE SAME LEVELS AS THEY HAVE BEEN BY THE CITY OF SAN DIEGO. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

City Manager McGrory stated that the Public Works Director of the Safety Water has agreed to do that. In addition, the City Manager stated that 53 of the 55 pieces of equipment will be sold at an amount of \$567,200.

\* ITEM-54:

SUBJECT: Two actions related to Parking Meters on El Cajon Boulevard and Kansas Street.

(Greater North Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance and adopt the following resolution:

Subitem-A: (O-96-169) INTRODUCED, TO BE ADOPTED  
SEPTEMBER 3, 1996

Introduction of an Ordinance disestablishing a parking meter zone on the south side of El Cajon Boulevard between Utah Street and Kansas Street and on the west side of Kansas Street between El Cajon Boulevard and Howard Avenue;

Authorizing the removal of parking meters and the installation of the necessary signs and markings.

Subitem-B: (R-96-1609) ADOPTED AS RESOLUTION R-287662

Adoption of a Resolution establishing a parking time limit of two hours, effective between the hours of 8:00 a.m. and 6:00 p.m., Saturdays, Sundays and certain holidays excepted, on the south side of El Cajon Boulevard between Utah Street and Kansas Street and on the west side of Kansas Street between El Cajon Boulevard and Howard Avenue;

Authorizing the installation of the necessary signs and markings; declaring that the regulations shall become effective upon the installation of the signs.

CITY MANAGER SUPPORTING INFORMATION:

This action removes seven parking meters from the south side of El Cajon Boulevard between Utah Street and Kansas Street, and four from the west side of Kansas Street between El Cajon Boulevard and Howard Avenue, while retaining the two-hour time limit without meters. These changes were petitioned by property owners representing 100 percent of the affected frontage. Accordingly, removal of the meters is recommended.

FILE LOCATION: Subitem-A: None; Subitem-B: MEET

COUNCIL ACTION: (Tape location: A322-483.)

CONSENT MOTION BY STALLINGS TO INTRODUCE THE ORDINANCE AND ADOPT THE RESOLUTION. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-100:

SUBJECT: Termination of the Contract for Reconstruction of Peterlynn Avenue Drain.

(Otay Mesa-Nestor Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-19) ADOPTED AS RESOLUTION R-287663

Terminating the contract with Drainage Construction Company, Inc. for the reconstruction of Peterlynn Avenue Drain, BID-K96022C, Work Order No. 112502, CIP-12-084.0;

Authorizing the expenditure of not to exceed \$290,000 from CIP-12-084.0, Reconstruction of Peterlynn Avenue Drain Fund 30302, for the mediation settlement agreement with Drainage Construction Company, Inc.

CITY MANAGER SUPPORTING INFORMATION:

A construction contract was awarded to Drainage Construction Company, Inc. on November 28, 1995 for the Reconstruction of Peterlynn Avenue Drain. The original contract was \$1,525,807. Currently the project is approximately 36 percent complete. Soon after the commencement of the construction, the contractor claimed a changed condition due to an unanticipated, adverse soils condition. He claimed these adverse soil conditions, in which the side of the trench was not self-supporting and would affect adjacent improvements, increased their construction cost by \$560,000 for the work done to date and \$2,000,000 to complete the contract. Staff did not agree with the entirety of the contractor's claim and agreed to take the issue to mediation.

Mediation was held on May 29 and June 19 and 20. During

mediation, experts from both sides debated the claim of the extent of the adverse soils conditions but the issue could not be resolved. During mediation several options were discussed:

1. Option No. 1 was to have the contractor complete the project on a Time and Materials basis. This option was not acceptable to the staff because it would cost an additional estimated \$2,000,000 to complete the project.
2. Option No. 2 was to continue the work on a disputed basis and deal with the claim at the end of the project while keeping daily records of the contractor's "additional" work activities. This option was also rejected due to the size of the claim that would have to be resolved at the end of the project (approximately \$2,000,000).
3. Option No. 3 was to terminate the contract and settle all claims to date. Staff is recommending this option.

The results of the mediation were that the City would terminate the contract in accordance with Section 6-5 "Termination of Contract" of the "Greenbook" Standard Specifications for Public Works Construction. Both parties agreed to settle the original claim of \$560,000 for \$290,000. Staff is recommending termination of the contract and will revise the plans and specifications, and advertise and award a new contract to complete the project. A new contract will be prepared to complete the remaining work with construction anticipated to be completed by the end of this calendar year.

Aud. Cert. 9600297.

FILE LOCATION:                   CONT - Drainage Construction Company,  
  Inc. W.O. 112502

COUNCIL ACTION:               (Tape location: A322-483.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-101:

SUBJECT: Inviting Bids for Sidewalk and Curb Replacement City  
Wide FY 96 (C-13).

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-22) ADOPTED AS RESOLUTION R-287664

Inviting bids for Sidewalk and Curb Replacement City  
Wide FY-96 "C-13";

Authorizing a contract with the lowest responsible  
bidder;

Authorizing the expenditure of \$150,000 from Gas Tax  
Fund 302191. (BID-K97002C)

CITY MANAGER SUPPORTING INFORMATION:

This action will provide for the replacement of sidewalk and curbs in all Council Districts. Specific sidewalk and curb replacement locations are selected from the Street Division's current backlog which consists of approximately 1,500 locations. It is projected that 144 locations can be completed by this contract. Of these 88 locations are sites which involve sidewalk repairs following tree removals. This contract will allow the Street Division to reduce its concrete backlog and support the division's implementation of the new Operating Plan for Street Tree Removals which was discussed in City Manager Report CMR-96-58.

Aud. Cert. 9601341.

FILE LOCATION: CONT - Sidewalk and Curb Replacement  
Citywide FY96 C-13 CONFY97-1

COUNCIL ACTION: (Tape location: A322-483.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-102:

SUBJECT: Two actions related to Balboa Park - Access Renovations  
for the Organ Pavilion.

(Balboa Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-97-31) ADOPTED AS RESOLUTION R-287665

Approving the Americans with Disabilities Act access  
renovation project for the Organ Pavilion in Balboa  
Park.

Subitem-B: (R-97-32 Cor. Copy) ADOPTED AS RESOLUTION  
R-287666

Certifying that the information contained in  
Environmental Negative Declaration EAS-95-0585, has  
been completed in compliance with the California  
Environmental Quality Act of 1970, as amended, and  
State guidelines, that the Declaration reflects the  
independent judgment of the City as Lead Agency, and  
that the Declaration has been reviewed and considered  
by the Council.

CITY MANAGER SUPPORTING INFORMATION:

The Organ Pavilion is a popular gathering place for local  
residents and tourists alike. Various organizations use the  
Organ Pavilion stage to hold concerts, Christmas pageants,  
graduations and other special events. For the past three years,  
the disabled community has held a "Disability Independence Day"  
event at the site. In addition, San Diego City College holds  
graduation ceremonies at the Organ Pavilion every year, and makes  
special access arrangements for students with disabilities. For  
the previous three years, the City has been renting ramps during  
special events to allow access to the stage by people with  
disabilities, as required by the Americans with Disabilities ACT  
(ADA).

Because of the ever increasing utilization of the site, the  
disabled community has identified the Organ Pavilion as a high  
priority access project for the City to undertake. The Manager

has agreed with this recommendation and CDBG funding has been allocated to pay for the project. It is the intent of the project to provide a functional design while preserving the historic integrity of the facility. This project would provide access ramps to the colonnade and the Organ Pavilion stage, maintain the current historic form and symmetry of the structure and provide access for everyone attending events at this site. The project design has been recommended for approval by various groups associated with the Organ Pavilion, including the Spreckels Organ Society, the Committee of 100, and the Citizen Review Committee.

FILE LOCATION: Subitem-A,B: MEET

COUNCIL ACTION: (Tape location: A322-483.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-103:

SUBJECT: Three actions related to the Final Subdivision Map of Carmel Valley Neighborhood 4 Unit No. 7.

(A 135-lot subdivision located south of Del Mar Heights Road. Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-97-62) ADOPTED AS RESOLUTION R-287667

Authorizing a Subdivision Improvement Agreement with Pardee Construction Company for the installation and completion of public improvements.

Subitem-B: (R-97-56) ADOPTED AS RESOLUTION R-287668

Approving the final map.

Subitem-C: (R-97-63) ADOPTED AS RESOLUTION R-287669

Accepting two grant deeds of Pardee Construction Company, granting to the City Lots 133, 134, and 135 of Carmel Valley Neighborhood 4, Unit 7.

FILE LOCATION: Subitem-A,B: SUBD - Carmel Valley  
Neighborhood 4 Unit No. 7; Subitem-C: DEED  
F-6803 CONFY97-1 DEEDFY97-1

COUNCIL ACTION: (Tape location: A322-483.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-104:

SUBJECT: Community Facilities District (CFD) No. 1 - Annual  
Special Tax Levy.

(Miramar Ranch North Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-39 Cor. Copy) ADOPTED AS RESOLUTION R-287670

Establishing the special tax to be levied in the 1997  
Fiscal Year for Community Facilities District No. 1,  
Miramar Ranch North, in accordance with the City  
Manager's recommendations: residential property, \$0.92  
per square foot; industrial property, \$12,000 per acre;  
undeveloped property, \$7,156.34 per acre.

CITY MANAGER SUPPORTING INFORMATION:

In January 1991, the City Council adopted resolutions that  
established the formation of Community Facilities District No. 1  
(Miramar Ranch North), authorized the issuance of limited  
obligation improvement bonds to finance the construction and  
acquisition of public infrastructure in or serving the district,  
and authorized the annual levy of a special tax as the revenue  
source to pay yearly debt service (interest and principal) on the  
district's outstanding bonds. The special tax levy was modified



by Council resolution in November 1993, reducing the maximum tax rates to reflect a reduction in the authorized bonded indebtedness of the district.

This Council action would confirm the annual rates, apportionment, and total amount of special tax to be levied and collected on taxable property within the boundaries of CFD No. 1 for the 1996/97 Fiscal Year. The rate and apportionment of special tax was first presented to the City Council in July 1992, making this the fifth consecutive year that the special tax is being levied. Each year, until final maturity of all bonds issued by the district, the special tax will be presented to the City Council for approval.

Based on the funding needs of CFD No. 1 for the upcoming 1996/97 year, an aggregate amount of \$4,812,207.90 in special taxes should be levied against taxable parcels of land within the district. These special taxes will be billed and collected by the County of San Diego in the same manner as ordinary ad valorem property taxes. Monies received in the form of special taxes will be used to pay the March 1997 and September 1997 debt service due on the outstanding bonds, maintain the appropriate balance in the reserve account, and pay costs incurred by the City and the district in administering the special tax levy.

FILE LOCATION: STRT CF-1

COUNCIL ACTION: (Tape location: A322-483.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-105:

SUBJECT: Metropolitan Operation Center Expansion.

(Kearny Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-49)        TRAILED TO TUESDAY, JULY 30, 1996

Accepting a grant deed of Kearny Villa Investments, granting to the City an industrial building on 2.26 acres of land located at 9191 Kearny Villa Court in Kearny Mesa, for the expansion of the immediately adjacent Metropolitan Operations Center, CIP-40-922.0;

Authorizing the expenditure of not to exceed \$2,500,000 from Fund No. 41508, CIP-40-922.0, Metropolitan Operations Center - Expansion, for acquisition of property rights, move-in modifications, and related costs.

CITY MANAGER SUPPORTING INFORMATION:

This action provides for the acquisition of an industrial warehouse facility located immediately adjacent to the Metropolitan Wastewater Department's (MWWD) Operations Center in Kearny Mesa. The property, located at 9191 Kearny Villa Court, consists of a 35,557 square-foot office/warehouse structure with related parking and storage yard situated on a 2.263 acre site. The property, because of its size and location, is considered critical to MWWD's creation of a centralized warehouse and equipment repair facility. The property owner refused the City's offer of \$2,250,000 based on a fair market value appraisal and instead wanted to lease the property to the City on a long-term basis. In comparing the economics of a long-term lease versus a purchase of the property, the interests of the public are best served by an outright purchase of the property.

After numerous negotiations and consideration of other alternatives, staff and the property owner reached a negotiated purchase price of \$2,400,000.

Advantages of the site include: 1) being adjacent to the existing Metropolitan Operations Center on Topaz Way allows for shared services, parking, and walking access to the staff of three MWWD divisions and the City's day care facility; 2) allows for full implementation of the Operations and Maintenance Division's automated maintenance management system, for centralized, cost-effective inventory, acquisition, repair, and deployment of specialized equipment; 3) allows for relocation of a vital Wastewater Collection Division equipment repair team from its present Chollas location to integrate with other MWWD repair activities; 4) allows for improved out-station vehicle

maintenance services from the Public Works Business Center Transportation Department/Equipment Division; 5) provides for quick and convenient freeway access to the Metropolitan Biosolids Center, the North City Water Reclamation Plant and existing facilities.

Aud. Cert. 9700076.

FILE LOCATION:               None.

COUNCIL ACTION:             (Tape location:   A322-483; A350-354.)

          Trailed to Tuesday, July 30, 1996, to be heard in Closed Session first.

\* ITEM-106:

SUBJECT:   Permitting Angle Parking on 39th Street.

          (City Heights Community Area.   District-3.)

CITY MANAGER'S RECOMMENDATION:

          Adopt the following resolution:

          (R-97-37)     ADOPTED AS RESOLUTION R-287671

          Permitting angle parking on the west side of 39th Street between Wightman Street and Landis Street;

          Directing staff to install lines on the surface of the street indicating angle parking.

CITY MANAGER SUPPORTING INFORMATION:

This action will permit angle parking on the west side of 39th Street between Wightman Street and Landis Street. This segment of 39th Street is a local residential street with residential fronting property both sides of the street. Currently, parking is parallel on both sides. The residents requested the angle parking to increase the number of parking spaces. This will increase the parking spaces by 50 percent. Accordingly, the installation of the angle parking on the west side of 39th Street between Wightman Street and Landis Street is recommended. Angle parking may be permitted on City streets by a City Council

resolution in accordance with Municipal Code Section 86.03.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A322-483.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-107:

SUBJECT: Permitting Angle Parking on the south side of Julian  
Avenue between Sicard Street and Marcy Avenue.

(Logan Heights Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1650) ADOPTED AS RESOLUTION R-287672

Permitting angle parking on the south side of Julian  
Avenue between Sicard Street and Marcy Avenue;

Authorizing the installation of the necessary signs and  
markings;

Declaring that the above regulations shall become  
effective upon the installation of the signs.

CITY MANAGER SUPPORTING INFORMATION:

This action will permit angle parking on the south side of Julian  
Avenue between Sicard Street and Marcy Avenue. This segment of  
Julian Avenue is a local residential street with residential  
fronting property on the north side and San Diego Unified School  
District property on the south side.

Currently, parking is parallel on both sides. The San Diego  
Unified School District requested angle parking for their  
fronting property as a part of the conversion of the property to  
Youth Opportunities Unlimited Alternative Secondary School. This

will increase the parking spaces by 50 percent.

Accordingly, the installation of the angle parking on the south side of Julian Avenue between Sicard Street and Marcy Avenue is recommended. Angle parking may be permitted on City streets by City Council resolution in accordance with Municipal Code Section 86.03.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A322-483.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-108:

SUBJECT: Application for Congestion Mitigation/Air Quality  
Program Grant Funds.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-36) ADOPTED AS RESOLUTION R-287673

Authorizing the City Manager to apply for, on behalf of  
the City of San Diego, Congestion Mitigation/Air  
Quality grant funds for traffic signal systems at  
various locations.

CITY MANAGER SUPPORTING INFORMATION:

Approximately \$4 million is available in the San Diego region for  
traffic signal improvement projects through the Congestion  
Mitigation/Air Quality (CMAQ) program. The program provides for  
the cost of selected projects.

CMAQ is funded by the Federal Government's Intermodal Surface  
Transportation Efficiency Act (ISTEA) of 1991. Each year, local  
agencies submit applications to SANDAG. SANDAG evaluates the  
projects and determines the regional distribution of funds. This  
year, the following City projects are recommended for submission

based on their potential to reduce congestion and travel time, and their potential to extend existing traffic signal interconnect systems.

Applications are proposed to be submitted for the following City of San Diego projects:

Traffic Signal Interconnect Systems (Council District, typical):  
Del Mar Heights area (1), Genesee Avenue (5), Governor Drive (1),  
Morena Boulevard area (6), Park Boulevard (3), Skyline Drive (4).

System Retiming: Carmel Mountain Ranch (5), Mira Mesa (5),  
Pacific Beach (2), Rancho Bernardo (5).

Centre City Motorist Guidance System: (2).

Protected/Permissive Left-Turn Phasing: Broadway at Second Avenue (2), Clairemont Drive at Lakehurst Drive (6), Clairemont Mesa Boulevard at Moraga Avenue (6), Coronado Avenue at Saturn Boulevard (8), Grand Avenue at Bayard Street (2), Ocean View Boulevard at 38th Street (4), University Avenue at Rolando Boulevard (7), Washington Street at First Avenue (2), World Trade Drive at Conference Way (5), and Sixth Avenue at Laurel Street (3).

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A322-483; A387-395.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-109:

SUBJECT: Transfer of Funds for Balboa Park Improvements -  
Northeast Corner of East Mesa.

(Balboa Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-16) ADOPTED AS RESOLUTION R-287674

Authorizing the Auditor and Comptroller to transfer not to exceed \$130,000 from the Navy Hospital Building Demolition Fund No. 60252 to CIP-21-839.0, Balboa Park Improvements - Northeast Corner of East Mesa, to fund construction of the tot lot on Pershing Avenue adjacent to Upas Street.

CITY MANAGER SUPPORTING INFORMATION:

On March 25, 1996, the City Manager authorized the Purchasing Agent to advertise for bids for the construction of Balboa Park Improvements - Northeast Corner of East Mesa, CIP-21-839.0. On May 23, 1996 the Purchasing Agent opened bids for the project. The low base bid was \$313,003, six percent below the consultant's estimate. However, Additive Alternate Nos. 1 and 2 were over the existing funding for the project. Additional funding will allow for the construction of Additive Alternate No. 1 - the tot lot on Pershing Avenue adjacent to Upas Street. Funding in the amount of \$130,000 has been identified in the Navy Hospital Building Demolition Fund No. 60252 for this purpose.

Aud. Cert. 9700043.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A322-483.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-110:

SUBJECT: Golden Hill Commercial Revitalization.

(District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-48) ADOPTED AS RESOLUTION R-287675

Authorizing the expenditure of not to exceed \$386,000 from Fund 30302 in CIP-37-224.0, the Golden Hill Revitalization Project;

Authorizing from the above funds an amount of \$153,980 to reimburse Weir Construction for work it performed on the Project, and the remaining \$232,020 for streetlight installation and related costs for the Project.

CITY MANAGER SUPPORTING INFORMATION:

This action authorizes the expenditure of TransNet funds Reference Resolution R-285518 dated March 27, 1995), for the infrastructure revitalization project in the Golden Hill Community, CIP-37-224.0. The project to install 149 trees and 79 street lights on Fern Street included the additional work of tree drainage, and street trenching, and sidewalk repair. This action will pay for the change orders to complete the construction project. This action authorizes the design and installation of 15 street lights on 28th Street between A and Date Streets; and the repair and replacement of damaged and deteriorated sidewalk, street, curb and gutters in the Golden Hill community, north of A street, primarily on Fern and 30th Streets, west to 28th and east to 31st Streets.

Aud. Cert. 9601351.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C263-337.)

MOTION BY KEHOE TO ADOPT. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

\* ITEM-111:

SUBJECT: North Metro Interceptor Sewer - Phase II.

(Marine Corps Recruit Depot and Naval Training Center Area. District-2.)

CITY MANAGER'S RECOMMENDATION:



Adopt the following resolution:

(R-97-55) ADOPTED AS RESOLUTION R-287676

Authorizing the expenditure of an amount not to exceed \$220,000 from CIP-46-104.0 (North Metro Interceptor) for acquisition of property rights and related costs in connection with North Metro Interceptor Sewer - Phase II.

CITY MANAGER SUPPORTING INFORMATION:

The existing North Metro Interceptor Sewer (NMIS) conveys wastewater from the portion of the Greater San Diego area generally north of the San Diego River, to Pump Station 2, located on North Harbor Drive. The NMIS along with the South Metro Interceptor Sewer are the backbone of the Metro sewage system. Combined, these two interceptors convey all the wastewater generated throughout the entire Metropolitan Sewage Service Area to Pump Station 2 before being pumped to the Point Loma Wastewater Treatment Plant for treatment and disposal.

The new NMIS (Phase I and II) is intended to relieve the existing NMIS, which is showing signs of deterioration and is approaching its design capacity. Construction on Phase I is nearing completion. Phase II of the project consists of a 114-inch gravity sewer, 5,200 feet in length, starting at the intersection of Barnett Avenue and Gearing Drive and terminating at Pump Station 2. The existing NMIS will be rehabilitated after the construction of Phase II of the new NMIS and serve as an emergency back-up.

The proposed alignment for the new NMIS will require the City to obtain sewer/tunnel easements across portions of the Marine Corps Recruit Depot and the Naval Training Center. Therefore, adoption of the resolution is recommended.

Aud. Cert. 9700074.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A322-483.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-112:

SUBJECT: Four actions related to authorizing Suggestion Awards  
to City Employees.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-1630) ADOPTED AS RESOLUTION R-287677

Despena Petrogeorge - \$99.33 - Purchasing.  
Grace Esquer - \$318.87 - Parking Management.

Subitem-B: (R-96-1631) ADOPTED AS RESOLUTION R-287678

Raymond Trippi - \$2,500 - Treasurer.

Subitem-C: (R-96-1632) ADOPTED AS RESOLUTION R-287679

Duane Hewlett - \$1,620 - Water Utilities.

Subitem-D: (R-96-1633) ADOPTED AS RESOLUTION R-287680

Dennis Mills - \$2,500 - Transportation.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A322-483; A419-439.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-113:

SUBJECT: Excusing Councilmember Harry Mathis from the Natural  
Resources and Culture Committee Meeting of 6/3/96.

COUNCILMEMBER MATHIS'S RECOMMENDATION:

Adopt the following resolution:

(R-97-17) ADOPTED AS RESOLUTION R-287681

Excusing Councilmember Harry Mathis from attending the regularly scheduled Natural Resources and Culture Committee meeting of June 3, 1996, due to City business as City Council representative to LAFCO.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A322-483.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-114:

SUBJECT: Excusing Councilmember Wear from the LU&H and PS&NS Committee Meetings of 7/10/96.

COUNCILMEMBER WEAR'S RECOMMENDATION:

Adopt the following resolution:

(R-97-18) ADOPTED AS RESOLUTION R-287682

Excusing Councilmember Byron Wear from attending the Land Use and Housing Committee and Public Safety and Neighborhood Services Committee meetings of July 10, 1996, due to his attendance at the Coastal Commission meetings in Huntington Beach.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A322-483.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-115:

SUBJECT: Excusing Deputy Mayor Stallings from the Rules  
Committee Meeting of 7/1/96.

DEPUTY MAYOR STALLINGS'S RECOMMENDATION:

Adopt the following resolution:

(R-97-14) ADOPTED AS RESOLUTION R-287683

Excusing Deputy Mayor Stallings from attending the  
Rules, Finance and Intergovernmental Relations  
Committee meeting of July 1, 1996, due to personal  
reasons.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A322-483.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-116:

SUBJECT: First Amendment to the Agreement with Boyle Engineering  
for State Route 56.

(Carmel Valley and Rancho Pegasus Community Areas.  
District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-96) ADOPTED AS RESOLUTION R-287684

Authorizing a first amendment to the agreement with  
Boyle Engineering Corp., due to additional scope of  
work;

Authorizing the expenditure of an amount not to exceed \$643,018 from CIP-52-463.0, TransNet Fund 30302, State Route 56 between Carmel Valley and Rancho Pegasus.

CITY MANAGER SUPPORTING INFORMATION:

On May 28, 1996, the City entered into an agreement with Boyle Engineering Corporation for initial professional engineering and design services for future State Route 56. This agreement is on file in the Office of the City Clerk as Document No. RR-287411.

This second phase provides geometric approval drawings, interchange studies, bridge studies, cost estimates, and project report for both the northerly and central alternative alignments, which is necessary because a final alignment will not be selected until the environmental document is considered by City Council in early 1997. A second amendment to this agreement will be brought before the City Council in late 1996 or early 1987 which will provide for the preparation of construction documents for this project. Boyle Engineering Corporation has 12 percent WBE/MBE participation for this project.

Aud. Cert. 9700079.

FILE LOCATION: MEET CONFY97-1

COUNCIL ACTION: (Tape location: A322-483; A357-385.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-117:

SUBJECT: Reappointments to the Centre City Development  
Corporation Board of Directors.

(See memorandum from Mayor Golding dated 6/21/96.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1642) ADOPTED AS RESOLUTION R-287685

Considering the following nominees for re-election to  
the Centre City Development Board of Directors to fill  
three vacancies:

NOMINEE	NOMINATED BY
Peter Q. Davis (Finance)	Mayor Golding
Harold Gil Johnson (General Business)	Mayor Golding
Edward Lopez (Law)	Mayor Golding

After discussion and deliberation, re-electing Peter Q.  
Davis, Harold Gil Johnson and Edward Lopez for three-year  
terms ending May 1, 1999.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A322-483.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-118:

SUBJECT: Appointments to the International Affairs Board.

(See memorandum from Mayor Golding dated 6/21/96 with  
resumes attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1643) ADOPTED AS RESOLUTION R-287686

Council confirmation of the following appointments by

the Mayor to serve as members of the International  
Affairs Board:

Terms ending March 1, 1998:

Dr. Charles W. Hostler  
(replacing Linda Noda Hobbs, whose term has expired)  
Dr. Robert Hertzga  
(replacing Jacqueline S. Corey, whose term has expired)  
Edward G. Wong  
(replacing Albert N. Williams, whose term has expired)

Term ending March 1, 1997:

Dr. Randall C. Phillips  
(replacing Delia H. Talamantez, who has resigned);

Waiving the residency requirements for Dr. Charles W.  
Hostler, pursuant to Council Policy 000-13.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A322-483.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-119:

SUBJECT: Spousal Abuser Prosecution Program Grant.

(See letter from Attorney General Daniel E. Lungren  
dated 6/28/96.)

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-97-40) ADOPTED AS RESOLUTION R-287687

Authorizing the City Attorney to accept a \$60,000  
Spousal Abuser Prosecution Program (SAPP) Grant from

the State of California Department of Justice, under the terms and conditions outlined in the letter dated June 28, 1996 to John W. Witt from Attorney General Daniel E. Lungren.

CITY ATTORNEY'S SUPPORTING INFORMATION:

On November 13, 1994, the City Attorney's Child Abuse/Domestic Violence Unit received notification that they had been awarded a \$60,000 grant from the California Department of Justice for the prosecution of domestic violence cases. The money has been used to enhance the advocacy and investigative efforts of the Unit. On March 15, 1996 we were notified that a second year of funding had been approved. On June 28, 1996 we were notified that a third year of funding had been approved. The grant award is contingent upon City Council approval. The proposed resolution authorizes the City Attorney to enter into a grant award agreement with the Department of Justice. It also indemnifies the Department of Justice from any civil suits which might arise from the City Attorney's use of the funds and certifies that the City will not use the grant to supplant local expenditures.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A322-483.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-200:

SUBJECT: Five actions related to the Fiscal Year 1997 Annual  
Appropriation Ordinance.

CITY MANAGER'S RECOMMENDATION:

Hold the first public hearing for Subitem A; introduce the ordinance in Subitem C; and adopt the resolutions in Subitems B, D and E:

Subitem-A: (O-97-1) HEARING HELD

First public hearing of an Ordinance adopting the



Annual Budget for Fiscal Year 1996-97 and appropriating the necessary money to operate the City of San Diego for said fiscal year.

Subitem-B: (R-97-1) ADOPTED AS RESOLUTION R-287688

Establishing storm drain fees.

Subitem-C: (O-96-116 Rev.) INTRODUCED, TO BE ADOPTED  
SEPTEMBER 3, 1996

Introduction of an Ordinance amending Chapter III, Article 1, Division 3, of the San Diego Municipal Code by amending Section 31.0305 relating to the Rental Unit Business Tax - Consolidating Eight or More Parcels of Property for Taxation.

Subitem-D: (R-97-97) ADOPTED AS RESOLUTION R-287689

Approving the Fiscal Year 1997 San Diego Convention Center Corporation Budget which totals \$19,697,156.

Subitem-E: (R-97-98) ADOPTED AS RESOLUTION R-287690

Approving the Fiscal Year 1997 San Diego Data Processing Corporation Budget which totals \$50,930,313.

NOTE: See Item 345 on the docket of Tuesday, July 30, 1996, for the introduction and adoption of the Ordinance in Subitem A.

FILE LOCATION: Subitem: B,D,E: MEET; Subitem-A,C:  
None

COUNCIL ACTION: (Tape location: A488-B614; A401-415.)

MOTION BY MCCARTY TO APPROVE THE FIRST HEARING, ADOPT SUBITEM-B, AND INTRODUCE THE ORDINANCE FOR SUBITEM-C. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea (nay on Subitem-B), Stallings-yea, McCarty-yea, Vargas-yea (nay on Subitem-B), Mayor Golding-yea (nay on Subitem-B). (Note: Refer to the Budget Review minutes for Council's votes on specific issues.)

MOTION BY WARDEN TO ADOPT THE RESOLUTIONS FOR SUBITEM-D AND -E AND TO ACCEPT COUNCIL MEMBER MCCARTY'S REQUEST THAT IN

ADDITION TO DOCKETING FOR DISCUSSION AT COMMITTEE THE MATTER OF THE POLICY ISSUES PERTAINING TO THE CONVENTION CENTER CORPORATION AND THE SAN DIEGO DATA PROCESSING CORPORATION, THAT MAYOR GOLDING ALSO DOCKET FOR DISCUSSION THE MATTER OF WHO IS ACTUALLY IN CHARGE OF CPAC. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-201:

SUBJECT: Two actions related to the Special Municipal Election on November 5, 1996.

(See City Clerk Report CC-96-02.)

CITY CLERK'S RECOMMENDATION:

Introduce and adopt the following ordinance and adopt the following resolution:

Subitem-A: (O-97-2) INTRODUCED AND ADOPTED AS  
ORDINANCE O-18325 (New Series)

Introduction and adoption of an Ordinance calling a Special Municipal Election in the City of San Diego on November 5, 1996, for the purpose of submitting to the qualified voters of the City one or more ballot propositions; and consolidating the Special Municipal Election with the Statewide General Election to be held on the same date.

Subitem-B: (R-97-2) ADOPTED AS RESOLUTION R-287691

Adoption of a Resolution requesting the consolidation of a Special Municipal Election to be held in the City of San Diego on November 5, 1996, with the Statewide General Election to be held on the same date.

SUPPORTING INFORMATION:

This is to request that the City Council adopt an ordinance calling the Special Municipal Election and a resolution requesting the consolidation of this election with the Statewide

General Election to be held on November 5, 1996. The Special Municipal Election will be held for the purpose of conducting elections for any and all propositions the Council approves for placement on the Ballot. The resolution requesting consolidation includes a request for the services of the Registrar of Voters. The estimated cost of this election, including the ballot proposals being considered by Council is \$600,000.

Aud. Cert. 9700026.

FILE LOCATION: Subitem-A,B: MEET

COUNCIL ACTION: (Tape location: A322-483.)

CONSENT MOTION BY STALLINGS TO INTRODUCE, DISPENSE WITH THE READING, AND ADOPT THE ORDINANCE, AND TO ADOPT THE RESOLUTION. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-202:

SUBJECT: Two actions related to a Ballot Measure for November 5, 1996 - Amending the City Charter to Create Branch Library Construction and Endowment Funds.

CITY COUNCIL'S RECOMMENDATION:

Introduce and adopt the following ordinance:

Subitem-A: (O-97-19 REV.1) INTRODUCED AND ADOPTED AS  
AMENDED AS ORDINANCE O-18326  
(New Series)

Introduction and adoption of an Ordinance submitting to the qualified voters of the City of San Diego at the Special Municipal Election in the City of San Diego on November 5, 1996, one proposition amending the City Charter by adding Section 63 pertaining to creating Branch Library Construction and Endowment Funds with proceeds of five-year, one-quarter cent County sales tax.

Subitem-B: AUTHORIZED COUNCIL MEMBER MCCARTY

The matter of Council direction regarding authorship of  
the ballot argument.

FILE LOCATION: Subitem-A,B: MEET

COUNCIL ACTION: (Tape location: C017-258.)

MOTION BY MCCARTY TO INTRODUCE, DISPENSE WITH THE READING,  
AND ADOPT THE ORDINANCE WITH ONE CHANGE TO SECTION (f)(2) TO  
READ AS FOLLOWS:

"(f)(2) THE REQUIREMENTS OF SECTION 63(f)(1) MAY BE MODIFIED  
IN ANY GIVEN FISCAL YEAR BY SIX (6) AFFIRMATIVE VOTES OF THE  
CITY COUNCIL, PROVIDED THAT THE CITY COUNCIL DECLARES AN  
OFFICIAL EMERGENCY AND MAKES SPECIFIC FINDINGS AS TO THE  
NEED FOR THE MODIFICATIONS." IN ADDITION, APPROVE MINOR  
CHANGES TO REFER TO "AUTHORITY" SHOULD ITEM-S400 BE  
APPROVED. Second by Kehoe. Passed by the following vote:  
Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea,  
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-nay.

MOTION BY MATHIS TO AUTHORIZE COUNCIL MEMBER MCCARTY TO  
DRAFT THE BALLOT ARGUMENTS IN FAVOR AND TO GATHER SIGNATURES  
IN FAVOR ON THE PRO SIDE. Second by Kehoe. Passed by the  
following vote: Mathis-yea, Wear-yea, Kehoe-yea,  
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,  
Vargas-yea, Mayor Golding-yea.

ITEM-203: TRAILED TO TUESDAY, JULY 30, 1996

SUBJECT: Two actions related to a Ballot Measure for the Special  
Municipal Election of November 5, 1996 Regarding  
Retirement System Issues.

CITY MANAGER'S RECOMMENDATION:

Introduce and adopt the following ordinance:

Subitem-A: (O-97-4)

Introduction and adoption of an Ordinance submitting to  
the qualified voters of the City of San Diego at the  
Special Municipal Election consolidated with the

Statewide General Election to be held on November 5, 1996, one proposition amending Section 141 of the City Charter relating to City Employees' Retirement System.

Subitem-B:

The matter of Council direction regarding authorship of the ballot argument.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A322-483; A326-350.)

ITEM-204:

SUBJECT: Request for TransNet Bond Funds for Design of State Route 56.

(Carmel Valley, Rancho Penasquitos, Future Urbanizing Community Areas. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-95) ADOPTED AS RESOLUTION R-287692

Authorizing the City Manager to request advance funding from SANDAG through the Debt Financing Program of an amount not to exceed \$2,400,000;

Authorizing the City Manager to execute the necessary documents relating to the receipt of the funds from SANDAG;

Declaring that the City of San Diego is responsible for paying for its proportionate share of the issuance costs and overall annual debt service requirement of the SANDAG Debt Financing Program and that the costs shall be the first priority use of the City of San Diego Annual Allocation of TransNet Revenues;

Authorizing the City Auditor and Comptroller to deposit

the funds into CIP-52-463.0, State Route 56 - Carmel Valley to Rancho Penasquitos;

Amending the scope of work of CIP-52-463.0, State Route 56 - Carmel Valley to Rancho Penasquitos, to include design.

CITY MANAGER SUPPORTING INFORMATION:

This action will accept \$2,400,000 in TransNet Bond money from SANDAG to be used for the design and right-of-way drawings for State Route 56 between Carmel Valley and Rancho Pegasquitos. The TransNet Bond funds will be supplemented by the Gas Tax Funds for the portion of the project within the Future Urbanizing Area.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A322-483; A357-385.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-205:

SUBJECT: Phase V-A Interim Agreement with Golden Turner for  
Services Related to the Convention Center Expansion.

(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-33) ADOPTED AS RESOLUTION R-287693

Authorizing a Phase V-A Interim Agreement with Golden Turner for additional design and other services through 9/30/96, related to the Convention Center Expansion Project, in an amount not to exceed \$2 million, provided that the City Auditor first furnishes a certificate demonstrating that funds necessary for expenditure are, or will be, on deposit in the City Treasury as called for in Section 80 of the San Diego

City Charter.

CITY MANAGER SUPPORTING INFORMATION:

On December 12, 1994, the City Council selected Golden Turner as the Design/Build Team for the Convention Center Expansion Project. On April 18, 1995, the City Council authorized the City Manager to negotiate and execute a Phase I interim agreement with Golden Turner. The City Council authorized the City Manager on October 2, 1995 to execute a Phase II interim agreement with Golden Turner. On December 4, 1995, City Council authorized the City Manager to execute a Phase III interim agreement. On March 19, 1996, City Council authorized the City Manager to execute a Phase IV interim agreement. In order to keep the Convention Center Expansion Project on track, the City Management respectfully requests authorization from the City Council to negotiate and enter into a Phase V-A interim agreement with Golden Turner.

FILE LOCATION: MEET (CONVENTION CENTER #62)  
CCONTFY97-1

COUNCIL ACTION: (Tape location: A322-483.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-206:

SUBJECT: Sixth Amendment to the Agreement with Westinghouse  
Electric Corporation for Additional Work for the  
Wastewater Operations Management Network (COMNET).

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-91) ADOPTED AS RESOLUTION R-287694

Authorizing a sixth amendment to the agreement with  
Westinghouse Electric Corporation, for additional work  
in connection with the Wastewater Operations Management

Network (COMNET);

Authorizing the expenditure of not to exceed \$2,906,830 from Clean Water Program Fund No. 41509, to provide funds for this amendment as follows:

\$2,113,332 from CIP-45-920.0, Wastewater Operations Management Network (COMNET), consisting of \$1,376,914 for fixed costs and \$736,418 for additional services;

\$413,378 from CIP-42-910.1, North City Water Reclamation Plant;

\$9,025 from CIP-42-911.3, North City Raw Sludge and Water Pipelines;

\$16,037 from CIP-46-055.0, FIRP Pump Station;

\$267,171 from CIP-42-911.4, Metro Biosolids Center;

\$87,887 from CIP-40-921.0, FIRP Phase II Digested Sludge and Centrate Pipeline.

Amendment No. 6 shall constitute phase-funded additions to current existing phases for each Capital Improvement Project under the COMNET agreement, such that the total allocation of funding, subject to appropriation and issuance of Auditor Certificates, shall be as follows:

Phase Funding of  
Amendment No. 6 of  
COMNET (CIP-45-920.0)

Phase 1:	FY 95	\$0
Phase 2:	FY 95	\$0
Phase 3:	FY 96	\$0
Phase 4:	FY 96	\$0
Phase 5:	FY 96	\$0
Phase 6:	FY 97	\$2,113,332
Phase 7:	FY 97	\$0
Phase 8:	FY 98	\$0
Total:		\$2,113,332

Phase Funding of  
Amendment No. 6 of  
North City Raw Sludge

Phase Funding of  
Amendment No. 6 of  
NCWRP (CIP-42-910.1)

Phase 1:	FY 95	\$0
Phase 2:	FY 96	\$0
Phase 3:	FY 96	\$0
Phase 4:	FY 96	\$0
Phase 5:	FY 96	\$0
Phase 6:	FY 97	\$413,378
Phase 7:	FY 97	\$0
Phase 8:	FY 98	\$0
Total:		\$413,378

Phase Funding of  
Amendment No. 6;  
FIRP P.S. (CIP-46-055.0)



and Water Pipelines  
(CIP-42-911.3)

Phase 1:	FY 95	\$0
Phase 2:	FY 95	\$0
Phase 3:	FY 96	\$0
Phase 4:	FY 96	\$0
Phase 5:	FY 96	\$0
Phase 6:	FY 97	\$9,025
Phase 7:	FY 97	\$0
Phase 8:	FY 98	\$0
Total:		\$9,025

Phase Funding of  
Amendment No. 6;  
MBC (CIP-42-911.4)

Phase 1:	FY 95	\$0
Phase 2:	FY 95	\$0
Phase 3:	FY 96	\$0
Phase 4:	FY 96	\$0
Phase 5:	FY 96	\$0
Phase 6:	FY 97	\$267,171
Phase 7:	FY 97	\$0
Phase 8:	FY 98	\$0
Total:		\$267,171

Total Phase Funding of  
Amendment No. 6

Phase 1:	FY 95	\$ 1,756,410
Phase 2:	FY 95	\$ 1,761,510
Phase 3:	FY 96	\$ 3,267,787
Phase 4:	FY 96	\$ 3,772,268
Phase 5:	FY 96	\$18,218,783
Phase 6:	FY 97	\$12,092,981
Phase 7:	FY 97	\$ 4,948,107
Phase 8:	FY 98	\$ 584,028
Total:		\$46,401,874

Phase 1:	FY 95	\$0
Phase 2:	FY 95	\$0
Phase 3:	FY 96	\$0
Phase 4:	FY 96	\$0
Phase 5:	FY 96	\$0
Phase 6:	FY 97	\$16,037
Phase 7:	FY 97	\$0
Phase 8:	FY 98	\$0
Total:		\$16,037

Phase Funding of  
Amendment No. 6;  
FIRP Phase II  
Digested Sludge and

Centrate Pipeline  
(CIP-40-921.0)

Phase 1:	FY 95	\$0
Phase 2:	FY 95	\$0
Phase 3:	FY 96	\$0
Phase 4:	FY 96	\$0
Phase 5:	FY 96	\$0
Phase 6:	FY 96	\$87,887
Phase 7:	FY 97	\$0
Phase 8:	FY 98	\$0
Total:		\$87,887

authorized the City Manager to execute a contract with Westinghouse Electric Corporation, the lowest responsible bidder, for implementation of the Wastewater Operations Management Network (COMNET), CIP-45-920.0. Council Resolutions R-286786, R-286787, R-287199 and R-287200 authorized the City Manager to amend Westinghouse's contract and phase funding in Amendments 2,3,4 and 5. It is requested from the City Council to approve the revised phase funding schedule and authorization of Phase 6 for this contract, which includes the following additional scope of work:

Additional Work for CIP-45-920.0 - COMNET \$2,113,332 (\$1,376,914 fixed cost, and \$736,418 additional services:

Historian System Function Revisions and Distributed Control System (DCS) Software and Hardware Revisions (\$1,008,239), Taxes on Equipment (\$330,065), Taxes on Maintenance Management System (MMS) Phase I (\$21,353), One Partnering Session (\$6,364), Five Videoconferencing System Service Calls (\$5,973), and Invoice Breakdown by CIP (\$4,920).

Additional Work for CIP-42-910.1 - North City Water Reclamation Plant (NCWRP) \$413,378:

Additional Fire Alarm Equipment (\$40,390), Revisions to Consoles (\$30,884), Taxes on Equipment (\$6,968), Vendor Training (\$5,795), Three Video Projection Systems (\$220,168), and Westinghouse Loop Diagram Responsibilities for Operational Readiness Testing (ORT) Activities and Loop Checks (\$109,173).

Additional Work for CIP-42-911.3 - North City Raw Sludge and Water Pipelines \$9,025:

Taxes on Equipment (\$7,229), Addition of a Telemetry Cabinet (\$1,796).

Additional Work for CIP-46-055.0 - FIRP Pump Station \$16,037:  
Taxes on Equipment (\$16,037).

Additional Work for CIP-42-911.4 - Metro Biosolids Center (MBC) \$267,171:

Revisions to upgrade the power to the Uninterruptable Power Supply (UPS) System (\$198,904), and Scientific Apparatus Manufactures Association (SAMA) Functional Loop Diagrams (\$68,267).

Additional Work for CIP-40-921.0 - FIRP Phase II Digested Sludge and Centrate Pipeline \$87,887:

Point Loma Valve Information Network (VIN) Connection, cabling and interface to the COMNET System (\$87,887).

The total amount requested by this action is \$2,906,830 (\$2,170,412 fixed and \$736,418 additional services) for the contract with Westinghouse Electric Corporation.

Aud. Cert. 9700077.

FILE LOCATION: WATER - Westinghouse Electric Corporation  
CONFY97-1

COUNCIL ACTION: (Tape location: A322-483.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-207:

There is no Item 207 on today's docket.

ITEM-208:

There is no Item 208 on today's docket.

ITEM-209:

SUBJECT: Declaring a Continued State of Emergency Regarding the  
Discharge of Raw Sewage from Tijuana, Mexico.

(San Ysidro and Tijuana River Valley Community Areas.  
District-8.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-97-88) ADOPTED AS RESOLUTION R-287695

Declaring a continued State of Emergency regarding the discharge of raw sewage from Tijuana, Mexico.

SUPPORTING INFORMATION:

For more than 60 years, raw sewage from the Republic of Mexico has flowed unabated into the United States plaguing the residents of San Diego. This flow is a serious threat to the region, creating health hazards, forcing the closure of beaches and impacting local businesses. For this reason, the City Council has continued to declare a State of Emergency in the Tijuana River Valley.

The solution to this long standing problem is the construction of the International Treatment Facilities. The facilities consist of a 25 million gallon per day (mgd) secondary treatment plant in the United States, canyon collectors in Goat Canyon and Smuggler's Gulch to collect renegade sewage, and the South Bay Ocean Outfall. The status of these projects is as follows:

SOUTH BAY INTERNATIONAL WASTEWATER TREATMENT PLANT

- A. Construction Contract 1 (CC-1) - Site Preparation.  
Construction: Completed February 23, 1995 at a cost of \$4,873,615.
- B. Construction Contract 2 (CC-2) - Advanced Primary Facilities.  
Construction: June 1995 - March 1997.

Construction completion is on target for December 1996, with startup testing projected for January 1997. As of May 31, 1996, the percent completion was 61 percent. Overall, approximately 94 percent of the concrete has been placed. Placement of concrete for all below ground structures and some above ground structures is complete, and backfilling of foundations is ongoing. Placement of concrete for some above ground structures, and installation of electrical conduit, piping, protective coatings, and mechanical equipment is ongoing.

At the Unstabilized Sludge Storage Tank Area, the foundation, walls, and roof of the Unstabilized Sludge Storage Tank (USST) have been completed, and surface preparation of the interior walls for coating is ongoing. Installation of the pumps at the Sludge Mixing Pump Station and the scrubber and chemical tanks at the USST Odor

Reduction Station is in progress.

At the Personnel Building and Main Switchgear Building, installation of drywall, doors, windows, fire sprinkler piping, insulation, and flashing is completed, and painting of the walls and installation of the electrical wiring and HVAC ductwork is ongoing. At the Solids Processing Building and Truck Loading Building, placement of concrete is complete and coating of concrete surfaces ongoing. Two scrubbers have been installed at the Solids Processing Odor Reduction Station. Placement of concrete for the sludge conveyor footings is in progress.

At the Headworks, rebar installation, formwork, and placement of concrete for the upper walls is ongoing. Testing of the influent pumps and variable frequency drives at the manufacturer has been successfully completed. Placement of concrete for slab on grade of the Headworks Bin Storage Area and the Odor Reduction Station is complete.

At the Primary Sedimentation Tanks (PST), placement of concrete for the walkways and installation of handrails, and coating of the tank walls is ongoing. Grouting of PST bottoms and installation of T-rail is complete. The slab on grade at the Advanced Primary Chlorination Facility and Chemical Addition Area is complete. Installation of piping and equipment at the PST gallery is in progress. Installation of piping and equipment at the Primary Skimmings Pump Station is also in progress.

Placement of approximately 2,200 columns for the perimeter fence is complete. Placement of concrete for the walls for Junction Box No. 2 is complete. Work at the border to connect the primary influent pipeline to the existing junction structure in Mexico and construction of Junction Structure No. 1 in the U.S. is ongoing. The 30" emergency connection bypass line has been tied into the manhole at Junction Structure No. 1. Excavation for the interceptor-collector system at Canyon del Sol has been completed and backfilling for the footings is in progress.

- C. Construction Contract 3 (CC-3) - Secondary Treatment Facilities.  
Design: December 1993 - April 1996  
Construction: On-hold

The design of the activated sludge secondary system was completed on May 1, 1996. Construction is on hold pending the completion of a Supplemental Environmental Impact Statement (SEIS) and a decision on the best alternative method for secondary treatment. A draft SEIS is expected to be released for public review in September 1996.

- D. Construction Contract 4 (CC-4A) - Smugglers Gulch Interceptor Collection System.  
Bid Solicitation: April 1996 - July 1996  
Construction: August 1996 - September 1997

Bid opening is scheduled for June 25, 1996. A notice to proceed is scheduled for August 1996 and construction is scheduled for completion by September 1997.

- E. Construction Contract 4 (CC-4B) - Goat Canyon Interceptor Collection System.  
Bid Solicitation: April 1996 - July 1996  
Construction: September 1996 - October 1997

Bid opening is scheduled for June 25, 1996. A notice to proceed is scheduled for September 1996 and construction is scheduled for completion by October 1997.

#### SOUTH BAY OCEAN OUTFALL

- A. Package 1 - Special Structures.  
Construction Contractor: Colich and Sons  
Bid: \$9,950,000  
Construction: April 1996 - July 1997

The contractor will begin mobilizing in July and is expected to begin work onsite in August 1996.

- B. Package 2 - Tunnel.  
Construction Contractor: Traylor Brothers/Obayashi  
Bid: \$88,285,000  
Construction: September 1995 - May 1998  
Startup: June 1998

The excavation of the drop shaft is still on hold. The contractor has drilled and pumped grout throughout the circumference of the drop shaft to increase the thermal conductivity of the soil and to fill any potential voids.

Nitrogen will be utilized in the freeze holes to decrease the temperature and aid in the groundwater freezing. Another pump test to evaluate the effectiveness of the grouting and freezing is scheduled for July 18. The tunnel boring machine and trailing gear is now on-site.

The tunnel riser is to be shipped from Vallejo, CA on August 1, 1996 and the offshore work on the riser is to commence in August.

- C. Package 3 - Marine Works.  
Construction Contractor: Fletcher General, Inc.  
Bid: \$36,442,000  
Construction: November 1995 - October 1997

The offshore trench excavation began on June 3, 1996. The pipe laying will begin in August.

FILE LOCATION: WATER - State of Emergency regarding the Discharge of Raw Sewage from Tijuana, Mexico

COUNCIL ACTION: (Tape location: A322-483.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-S400:

SUBJECT: In the Matter of the San Diego Regional Library Authority.

COUNCILMEMBER McCARTY'S RECOMMENDATION:

Adopt the following resolution:

(R-97-162) ADOPTED AS RESOLUTION R-287696

Designating a representative to the San Diego Regional Library Authority;

Should the San Diego Regional Library Authority ballot

measure fail, the City of San Diego will pay for half the cost of placing the item on the County-wide ballot at an estimated amount of \$100,000;

Authorizing the City Auditor and Comptroller to expend an amount not to exceed \$100,000 from the General Fund 100 Unallocated Reserve for this project;

Should any litigation ensue as a result of the Authority placing the item on the ballot, the City of San Diego will co-defend the litigation with the County of San Diego.

SUPPORTING INFORMATION:

The County Board of Supervisors voted unanimously on July 23, 1996 to create the San Diego Regional Library Authority per section 7285.5 of the California State Revenue and Taxation Code. This Authority will meet annually; funds will be automatically transferred through the State Board of Equalization to the cities and the County. It is anticipated that the Authority will cease to exist at the conclusion of the five year period.

The Authority is comprised of 19 members including the Mayors of the 18 cities within the County and the Chair of the County Board of Supervisors. All staffing for the Authority will be provided by the County of San Diego at no charge; there will be no staff hired for the Authority. The Authority will be voting the week of July 29, 1996 to place a 5-year 1/4 cent library sales tax measure on the November 5, 1996 General Election ballot, requiring a 2/3 affirmative vote of the electorate to become effective. Should the ballot measure pass in November, the City of San Diego is estimated to receive approximately \$183 million, which is roughly half of all tax proceeds county-wide during the five year period of sales tax collection.

The County of San Diego will receive approximately \$17 million from the sales tax measure over the five years, with the 17 other cities receiving the balance of approximately \$166 million. In creating the Authority, the Board voted as part of their motion to ask the City Council of the City of San Diego that should the library ballot measure lose, would the City be willing to pay for half the cost of placing the item on the County ballot. Should the ballot measure pass, the Regional Library Authority will pay for the cost of the election from Authority sales tax proceeds. In addition, should any litigation ensue on the library ballot



measure, the Board asked if the City of San Diego would be willing to co-defend with the County of San Diego. Should the library measure pass and any litigation occur, costs would be paid for the Authority from Authority sales tax proceeds. It is not anticipated that any lawsuits will develop challenging the Library Authority placing this measure before the voters as previously lawsuits have either been because the matter was not placed before the voters, or less than a 2/3 vote was required for passage. The San Diego City Attorney or his designee have been invited to join the County Counsel in staffing the meetings of the Authority to assist with legal oversight. All 18 cities within the County were requested to name a representative to the San Diego Regional Library Authority. The first meeting of the Authority is anticipated to be July 31, 1996, which is why there is some urgency in this matter coming before the City Council today.

Aud. Cert. 9700118.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C017-258.)

MOTION BY MCCARTY TO ADOPT THE RESOLUTION DESIGNATING COUNCIL MEMBER MCCARTY AS REPRESENTATIVE TO THE SAN DIEGO REGIONAL LIBRARY AUTHORITY. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea (nay on the costs related to the ballot measure and litigation).

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Stallings at 4:20 p.m. in honor of the memory of:

Donald E. Reynolds, Dr. Ralph George, and Amelia Dini as requested by Mayor Golding;

David James Bloomquist, Judy Ashcraft, and Hugh McIntosh as requested by Council Member Wear; and

Almastro John Denny, Sr., as requested by Council Member Stevens.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: C379-446).